

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

UNITED STATES OF AMERICA

§

V.

§

CASE NO.2:10-CR-5-4 (TJW-CE)

§

ISACHAR MONCADA GUERRERO

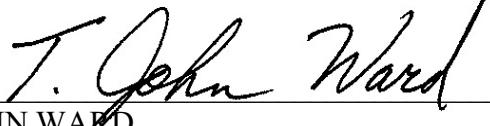
**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND
FINDING DEFENDANT GUILTY**

On this day, the Court considered the Findings of Fact and Recommendation of United States Magistrate Judge Charles Everingham IV regarding defendant's plea of guilty and allocution to the third superseding indictment charging the defendant in Count 1 with a violation of 21 U.S.C. § 846, conspiracy to possess with intent to distribute heroin and cocaine. Having conducted a proceeding in the form and manner prescribed by FED. R. CRIM P. 11, the Magistrate Judge recommends that the Court accept the defendant's guilty plea. The parties waived their right to file objections to the Findings of Fact and Recommendation. The Court is of the opinion that the Findings of Fact and Recommendation should be accepted.

It is accordingly ORDERED that the Findings of Fact and Recommendation of the United States Magistrate Judge, filed September 30, 2011, are hereby ADOPTED.

It is further ORDERED that, pursuant to defendant's plea agreement, the Court finds defendant GUILTY of Count 1 of the third superseding indictment in the above-numbered cause.

SIGNED this 30th day of September, 2011.



T. JOHN WARD
UNITED STATES DISTRICT JUDGE